

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:08-cr-256

v.

HON. JANET T. NEFF

QUIENT PATRICK LEE,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant Quient Patrick Lee has filed a motion for modification or reduction of sentence (Dkt 37) pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 782 of the United States Sentencing Guidelines, made retroactive by the Sentencing Commission. The U.S. Probation Department filed a Sentence Modification Report (Dkt 43), and the parties stipulated (Dkt 44) to the retroactive application of the sentencing amendment and requests the Court to amend the sentence.

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties in U.S.S.G. §§ 2D1.1 and 2D1.11. These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10.

Having fully considered the Sentence Modification Report (Dkt 37) and the Stipulation (Dkt 44), the Court has determined that the defendant is entitled to a reduction of sentence pursuant to the policy statements of the U.S. Sentencing Commission.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 37) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED. Defendant's sentence is reduced to 154 months with an effective date of November 1, 2015, and is to be served concurrently with Case No. 1:08-cr-183.

DATED: September 18, 2015

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge